

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-035125-001 SE

09/30/2004

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT
D. Ramirez
Deputy

FILED: 10/06/2004

STATE OF ARIZONA

KIRSTEN RAE SCHULTZ

v.

JERRY MCBETH (001)
DOB: 12/04/1973

JOEL PAUL IVY

APO-SENTENCE IMPRISON-SE
APPEALS-SE
DISPOSITION CLERK-SE
RFR
VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

State's Attorney:	Kirsten Rae Schultz
Defendant's Attorney:	Joel Paul Ivy
Defendant:	Present
Court Reporter:	Sally Stearman

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Theft
Class 3 felony
A.R.S. § 13-1801, 13-1802, 13-701, 13-702, 13-702.01, and 13-801
Date of Offense: 06/28/2002
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

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Count 1: 4 year(s) from 09/30/2004
Presentence Incarceration Credit: 12 day(s)
Aggravated

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count 1 - \$3650.00 to the following victim(s) in the following amounts:

Check into Cash, Inc. (Business) \$3650.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Payment shall be 30% of Defendant's earnings while incarcerated at the Arizona Department of Corrections.

Additional Monetary Information: Restitution payments shall continue until release from the Department of Corrections. Upon release from Department of Corrections, payment shall commence on the first day of the second month following release and said payment shall not be less than 40.00 per month.

Community Supervision: Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in CR2002-092724.

IT IS ORDERED exonerating any bond previously posted in this matter.

IT IS ORDERED granting the Motion To Dismiss the following: Allegation of Prior Felony Convictions.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR2003-035125 001SE.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ THE HON. CRANE MCCLENNEN
JUDGE OF THE SUPERIOR COURT

(thumbprint)